

MARIAND TRISARRE.

JUNE 9, 1876.—Laid on the table and ordered to be printed.

Mr. TUFTS, from the Committee on Indian Affairs, submitted the following

REPORT:

For reason given by the Hon. J. Q. Smith, Commissioner of Indian Affairs, in the inclosed letter to the honorable Secretary of the Interior, your Committee on Indian Affairs report the claim back to the House with the recommendation that it be laid on the table.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., March 2, 1876.

SIR: I have the honor to submit herewith a claim of Mariand Trisarre for \$7,640, on account of a depredation alleged to have been committed by Mescalero Apache Indians.

This claimant, in 1854, resided in San Miguel County, New Mexico, and alleges that he was the owner of a herd of 3,000 sheep, valued at \$2.50 per head, 2 asses, valued at \$20 each, and 2 mares of the value of \$50 each, which the Indians took from him on the 2d day of July, 1854. It appears from his statement that the stock was taken while grazing in the Guadalupe Valley, in said county, but the circumstances under which this occurred are not very clearly set forth in claimant's petition. He avers that none of the stock has ever been recovered, and he does not allege that any efforts were made on his part to recover it.

He presents the affidavits of two witnesses, who swear that they were present at the time "with other persons," when the Indians drove the sheep and other animals away, and that there were only six Indians engaged in the business. It also appears from their evidence that the stock was not on claimant's premises when taken, but on the "public domain," and if in charge of "several persons" besides the two witnesses, evidently they were not very earnest in their efforts to prevent the six Indians from driving it away.

The Indians in council deny all knowledge of the depredation, and as the evidence does not show that proper efforts were made to protect the property when turned loose as above indicated, I respectfully recommend that the claim be disallowed.

Very respectfully, your obedient servant,

J. Q. SMITH,
Commissioner.

The Hon. the SECRETARY OF THE INTERIOR.

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